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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,459	02/01/2000	Hanna Abi-Saleh	9826-032-999	4881

24341 7590 02/18/2005

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PALO ALTO, CA 94306

EXAMINER
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BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/495459

EXAMINER
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ART UNIT	PAPER
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20050216

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

<b>Office Action Summary</b>	<b>Application No.</b> 09/495,459	<b>Applicant(s)</b> ABI-SALEH ET AL.	
	<b>Examiner</b> Stephen M Brinich	<b>Art Unit</b> 2624	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-5, 7-20, & 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs in view of Koppolu et al.

Re claims 1, 4-5, 7, 9, 12, 14-15, 17, 20, & 22-23, Dobbs discloses (column 2, lines 12-61) a computer processor and printer arrangement that generates a test data structure (i.e. a test pattern and associated icon) for testing a printer driver by opening the associated application (the print driver) in the computer memory and a document (the test pattern) in order to produce a test print from the test data structure.

Dobbs does not disclose the use of information in a registry database to associate applications and documents. The use of a registry database to associate a plurality of applications with respective documents is known in the art as disclosed by the Koppolu et al description (column 1, lines 59-63) of the Windows 95™ registry.

Dobbs and Koppolu et al are combinable because they are from the field of accessing documents stored as computer-readable files and printing them on a printer.

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a registry database to associate applications and documents in the printer driver test arrangement of Dobbs. The suggestion/motivation for doing so would have been in order to permit documents of various file formats opened by various applications to be used as test patterns (thus providing a test environment that closely approximates the actual use conditions of a printer).

Therefore, it would have been obvious to combine Dobbs with Koppolu et al to obtain the invention as specified in claims 1, 4-5, 7, 9, 12, 14-15, 17, 20, & 22-23.

Re the use of an automatic process of opening documents of various file formats opened by various applications for use as test patterns, the automating of a process is recognized as an expedient obvious to one of ordinary skill in the art (In re Venner, 120 USPQ 192).

Re claims 2, 10, & 18, Dobbs further discloses (column 3, lines 22-23) the selection of one of several print options.

Re claims 3, 11, & 19, the described user-selected icon (column 2, lines 54-55) is inherently a component of a graphical user interface.

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Re claims 8, 16, & 24, Dobbs further discloses (column 3, lines 27-31) the generation and recording of a compatible print mode log.

Re claim 13, Dobbs further discloses (column 2, line 62 - column 3, line 10), an auto-learning arrangement whereby the printer driver is equipped with learned controls corresponding to particular print media types.

3. Claims 6 & 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs in view of Koppolu as applied to claims 1-5, 7-20, & 22-24 above, and further in view of Weinberger.

Re claims 6 & 21, Dobbs further discloses (column 2, line 62 - column 3, line 10), an auto-learning arrangement whereby the printer driver is equipped with learned controls corresponding to particular print media types.

Dobbs discloses the use of a single printer driver. The use of multiple installed printer drivers on a computer system and the selection of a printer driver for a given print job is well known in the art as shown for example by Weinberger (column 4, lines 24-29).

Dobbs in view of Koppolu et al and Weinberger are combinable because they are from the field of accessing documents stored as computer-readable files and printing them on a printer.

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use one of a set of multiple printer drivers.

The suggestion/motivation for doing so would have been in order to allow the use of multiple printers connected to a single computer

Therefore, it would have been obvious to combine Dobbs in view of Koppolu et al with Weinberger to obtain the invention as specified in claims 6 & 21.

***Response to Arguments***

4. Applicant's arguments filed 12/7/04 have been fully considered but they are not persuasive.

Applicant argues (12/7/04 Remarks: page 7, lines 11-26) that the art of record is directed to associations between document types and applications rather than to associations between specific documents and applications.

However, it is not clear how the recited association to "specific documents" limits the association in such a way as to preclude a reading of this limitation on the Koppolu et al document registry (which inherently associates all the "specific documents" of a given type with a particular application).

Applicant argues (12/7/04 Remarks: page 7, line 27 - page 8, line 4) that the printer driver testing in the art of record

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(specifically Dobbs) does not involve automatically printing a plurality of specific documents and a plurality of applications specifically identified by a driver-test data structure.

As noted in the 10/5/04 Office Action, the Dobbs reference teaches (column 2, lines 12-61) the testing of a print driver. The above described combination of Dobbs and Koppolu et al includes the use of documents of various file formats opened by various applications as test patterns (rather than the single test pattern fed directly to the print driver as taught by Dobbs alone).

Re the use of an automatic process of opening documents of various file formats opened by various applications for use as test patterns, the automating of a process is recognized as an expedient obvious to one of ordinary skill in the art (In re Venner, 120 USPQ 192).

Applicant argues (12/7/04 Remarks: page 8, lines 5-7) that the art of record teaches the opening of a plurality of applications distinct from the printer driver to print documents so as to test a printer driver.

However, it is not clear how this point is alleged to distinguish the claimed invention from the art of record. Thus, this argument fails to comply with 37 CFR 1.111(b) because it amounts to a general allegation that the claims define a

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patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

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Hand-carried or courier-delivered correspondence pertaining  
to this application should be directed to

US Patent and Trademark Office  
220 South 20<sup>th</sup> Street  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington VA 22202

A handwritten signature in cursive script that reads "Stephen Brinich".

Stephen M Brinich  
Examiner  
Art Unit 2624

smb

February 17, 2005